

Mitchell Malzberg, Esq.  
LAW OFFICES OF MITCHEL J. MALZBERG, LLC  
P. O. Box 5122  
6 East Main Street, Suite 7  
Clinton, New Jersey 08809  
(908) 323-2958 - Telephone  
(908) 933-0808 – Facsimile  
mmalzberg@mjmalzberglaw.com  
*Counsel to the Liquidating Trustee*

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

In the Matter of:

HOLLISTER CONSTRUCTION SERVICES,  
LLC

Debtor.

Chapter 11

Case No. 19-27439/MBK

Hon. Michael B. Kaplan

Hearing Date: April 20, 2023 at 10:00 a.m.

**NOTICE OF MOTION FOR AN ORDER (1) HOLDING SUPPORT OF EXCAVATION,  
LLC IN VIOLATION OF THE AUTOMATIC STAY (2) COMPELLING THE  
DISCHARGE OF THE POST-PETITION CONSTRUCTION LIEN FILED BY SUPPORT  
OF EXCAVATION, LLC IN VIOLATION OF THE AUTOMATIC STAY (3)  
AWARDING COUNSEL FEES AND DAMAGES AND (4) FOR SUCH OTHER RELIEF  
AS THIS COURT DEEMS JUST AND NECESSARY AS A RESULT OF THE  
AUTOMATIC STAY VIOLATION**

TO: ALL PARTIES ON ATTACHED SERVICE LIST

PLEASE TAKE NOTICE, that on April 20, 2023 at 10:00 a.m. or as soon thereafter as counsel may be heard, the undersigned counsel to the Chapter 7 Trustee shall move before the Honorable Michael B. Kaplan, United States Bankruptcy Judge, at the United States Courthouse, 402E. State Street, Courtroom 8, Trenton, New Jersey, for an Order (1) Holding Support of Excavation, LLC in violation of the automatic stay (2) Compelling the discharge of the post-

petition construction lien filed by Support of Excavation, LLC in Violation of the Automatic Stay (3)awarding counsel fees and damages and (4) for such other and further relief as this court deems just and necessary as a result of the automatic stay violation.

PLEASE TAKE FURTHER NOTICE that the Trustee shall rely upon the annexed Certification in support of this motion. Oral argument is waived. No brief is necessary as the matter to be decided does not involve any complex issues of law or fact. A form of Order is annexed hereto.

Dated: March 28, 2023

Law Offices of Mitchell J. Malzberg, LLC  
P. O. Box 5122  
6 East Main Street  
Clinton, New Jersey 08809  
(908) 323-2958

By: /s/ Mitchell Malzberg  
Mitchell Malzberg, Esq.  
*Counsel to the Liquidating Trustee*